

Docket and File

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
PETER LINDNER,

Plaintiff

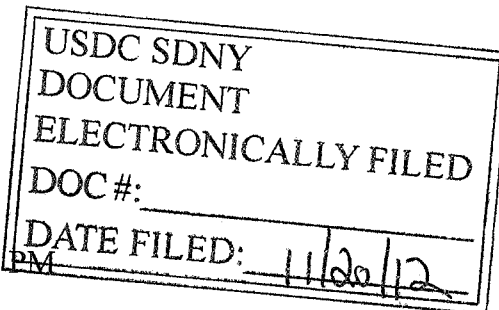
-against-

COURT SECURITY OFFICER (CSO) NEWELL,
CSO MUSCHITIELLO, CSO JOHN DOE #1, CSO
JOHN DOE #2, 2ND CIRCUIT COURT OF
APPEALS CLERK MARGARET LAIN,
ASSISTANT US MARSHAL (USM) JAMES
HOWARD, USM BRIAN MURPHY, USM BETTY
ANN PASCARELLA, WITNESS SECURITY S.
JONES, CONGRESSIONAL AFFAIRS CHIEF D.
DISRUD, US ATTORNEY PREET BHARARA,
USM JOSEPH R. GUCCIONE,

Defendants

Civil Action No. 11 cv 08365 (AJN-MHD)

PLAINTFF ALLEGING FEDERAL
WITNESS TAMPERING WITH
PREPARED TO COMMUNICATE WITH
USDJ NATHAN



Sunday, November 11, 2012 1:44 PM

1) Affidavit Certification	2
4) The point of this affidavit:	2
6) Why Congresswoman Carolyn Maloney (Democrat of NY)	3
8) Why the DEA may be involved:	3
17) Serious interference by "the Boys" on or about Fri, Nov 9, 2012	6
24) Local NYPD Precinct 13 may be actively hostile claiming (words to the effect of) "you don't know what we know about Peter Lindner"	8
Sworn and notarized	8
Attachment 1: REDACTED Plaintiff's Witness Ms. Sally Smith handwritten 1 page affidavit Outline	9
Attachment 2: REDACTED Plaintiff's Witness Ms. Sally Smith typed 1 page affidavit that Ms. Smith was dissuaded from having notarized	10
Attachment 3: Plaintiff unaltered handwritten 11 page affidavit	11
Attachment 4: 18 USC § 1512(b)(3) on Witness Tampering	22
Attachment 5: REDACTED Letter to lawyer that Congresswoman Maloney threatened me with Capitol Police	24
Attachment 6: Scan of Notary Seal & Signature	25
Affirmation Of Service	26

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SDNY PRO SE OFFICE
NOV 20 P 2:41

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PETER LINDNER,

Plaintiff

-against-

COURT SECURITY OFFICER (CSO) NEWELL,
CSO MUSCHITIELLO, CSO JOHN DOE #1, CSO
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Defendants

Civil Action No. 11 cv 08365 (AJN-MHD)

PLAINTFF ALLEGING FEDERAL
WITNESS TAMPERING WITH
PREPARED TO COMMUNICATE WITH
USDJ NATHAN

Thursday, November 08, 2012 12:33 PM

STATE OF NEW YORK)

:

SS.:

COUNTY OF NEW YORK)

(PWZ)
SUN, Nov. 11, 2012 4pm

PETER LINDNER, being duly sworn, says:

1) **Affidavit Certification**

2) I am the Plaintiff in this action.

3) I make this affidavit on personal knowledge, with the help of my computer files, and to the best of my recollection.

4) **The point of this affidavit:**

- a) My witness Ms. Sally Smith has been pressured to not notarize a document detailing 2 crimes against me that she witnessed.
- b) Ms. Smith noted that **NYC Congresswoman Carolyn Maloney** had called the agency where Ms. Smith is a Confidential Informant (CI) and told them to stop her from seeing me, which is a violation of 18 USC § 1512(b)(3).
- c) I was told **by Ms. Sally Smith that her mother was called by Carolyn Maloney's office** (I believe today), and by a District Attorney's office in the 202 (Washington DC) area.

meaning Thur. 11/8/2012 *(PWZ)*

5) I attach:

- a) an 11 page affidavit detailing the first of these two points: Item # 4)a), in full. Please read this contemporaneous, hand-written (by me) affidavit, which I have **not** transcribed into typed words.
- b) REDACTED: a 1 page hand-written outline that was both written and signed by Ms. Smith in my presence that was a reminder for the points to be covered in her preliminary

affidavit. (She was reluctant to put in writing all the details, and would wait until subpoenaed so that there was no doubt as to the legality of her answering the questions and stating the facts she personally observed.)

c) REDACTED: a 5 point affidavit that was typed based upon item #b).

6) Why Congresswoman Carolyn Maloney (Democrat of NY)

- a) I note that on Election Day, Tuesday, November 6, 2012, I mentioned that the name Carolyn Maloney to Ms. Smith, as the Democrat I was voting for,
- b) and Ms. Smith said the name was familiar.
- c) Then Ms. Smith: (words to the effect of) "That's the woman Maloney who told the Boys that I should keep away from you [Peter]."

7) Thus in item #6)c) , Ms. Maloney was violating 18 USC § 1512(b)(3) by

- a) Stopping a witness (Ms. Smith) from communicating with me
- b) Stopping an informant (Ms. Smith) from filing an affidavit that Ms. Smith was approached in the SDNY Court House by 3 men who asked her to say that I was planning to harm USDJ Sullivan
- c) Attempting to hinder and delay Ms. Smith from getting her passport as per item #11), which is needed for Ms. Smith to identify herself to the Notary Public, over the course of several months
- d) And " knowingly uses intimidation, threatens, or corruptly persuades" Ms. Smith by withholding \$1,000 "or attempts to do so, or engages in misleading conduct toward another person," namely me by falsely claiming (which is Item #8) I was calling Ms. Smith's 20 drug dealers. This is the " corruptly persuades ...with intent to— (1) influence, delay, or prevent the testimony of any person in an official proceeding; ",

8) Why the DEA may be involved:

9) The DEA ostensibly told Ms. Smith that I had used her cell phone to call 20 or more drug dealers she dealt with, thus endangering her life.

- a) Ms. Smith will only go into those details upon being subpoenaed by The Court.
- b) Ms. Smith was specifically told not to talk about it with me.
- c) I told Ms. Smith that
 - i) I did not hack into her phone
 - ii) I constantly told Ms. Smith to put a password on her cell phone and not to tell anyone the code, which proves I was acting for her good
 - iii) If I told other people about Ms. Smith working for the DEA, it was to stop them from being set up by Ms. Smith
 - iv) That I demanded from Ms. Smith to know upon what basis she felt I used her phone, but she refused to reveal it to me, making me thus logically consider that "the Boys" invented this 20+ breaks in DEA Confidential Informant (CI) security in order to alienate Ms. Smith from me.
- d) I can assure the Court that Ms. Smith was genuinely angry at me for the alleged 20 calls to her drug dealers, since they could and would kill her. But think of the enormity of it all: the DEA was falsely planting the evidence that I called 20+ dealers, or that worse: the DEA called some of the dealers in order to "frame me": make it look like it was me trying to physically cause harm to come to Ms. Smith. That's an incredible betrayal of trust for a Government Agency to do that, and endanger their own CI, and falsely make a

rightfully paranoid, ever fearful DEA / ATF CI even more paranoid by alienating her from her true friend / acquaintance.

- 10) As I understand 18 USC § 1512(b)(3), it is criminal for any person to knowingly attempt to hinder, delay a communication about a possible federal crime to a federal Judge, and since the sworn affidavit of Ms. Smith was to be presented to Your Honor USDJ Nathan, I file hereby that Congresswoman Maloney, "the Boys" at the ATF and/or DEA have conspired to stop Ms. Smith from signing and filing a notarized / sworn affidavit.
- 11) Ms. Smith keeps her passport in the DEA/ATF building, and they claimed that the person who had custody of it was away for a week.
 - a) If this was not true, then it is another example of DEA/ATF violation of 18 USC § 1512(b)(3).
 - b) Someone else could have opened the drawer or the safe to remove and give Ms. Smith's passport back to her. The passport was to be used to sign the notarized statement (to USDJ Nathan) which the notary said to both of us was required to a State or Federal ID with a photo on it.
 - c) Ms. Smith's other NY State ID was broken in half, and she has not (allegedly) gotten a new one yet.
- 12) "The Boys" supposedly owed \$1,000 to Ms. Smith, and they ostensibly delayed giving her the money to Ms. Smith to dissuade her from signing the affidavit to USDJ Nathan. To me, this is a form of knowingly pressuring a witness to delay or hinder from alerting a federal Judge about a possible federal crime (of perjury to falsely accuse me of threatening USDJ Sullivan physically, as opposed to seeking USDJ Sullivan's impeachment which is not only legal, but also prescribed in the US Constitution as a way to remove Article III Judges who can remain only "during good behavior").
- 13) Ms. Smith was alarmed at the calls to her Mom in the mid-West by both Carolyn Maloney's office and by a District Attorney in the 202 Washington DC area code. I am given to understand that Ms. Smith's mom is recovering from a medical episode, and took great alarm at being called, and she (the mom) was sick of this Washington meddling. Ms. Smith's Mom was in no mood to be hassled by Washington bureaucrats or Washington politicians, who would meddle not only in her child's life, but also into her prized life. This was a bad move by Congresswoman Maloney's staff, if indeed this happened.
- 14) My connection to Congresswoman Carolyn Maloney is two-fold:
 - a) I support and voted for her throughout my period in NYC where and when she ran for the US Congress
 - b) I went to her and my 2 US Senators for help in trying to impeach USDJ Sullivan after His Honor USDJ Sullivan refused to retract an illegal ORDER Number 130 Filed Oct 8 2009 that violated 18 USC § 1512(b)(3) by giving me 2 weeks to show cause why I should not be held in contempt of court for writing a letter to the US Marshal Service saying that IBM was tampering with my witnesses and that if they examined it closely, it would involve USDJ Sullivan.

- i) I notified USDJ Sullivan by the second of my three allowed¹ 200-word briefs that ORDER #130 was illegal. Some weeks prior to this, I had mentioned in my briefs 18 USC § 1512(b), so the judge did knowingly attempt (and succeeded) to hinder or delay my communications with a federal Law Enforcement Officer about a possible federal crime.
 - ii) However, USDJ Sullivan did not retract his ORDER to Show Cause (OSC) after my informing him that it was illegal, which would mean that this ORDER #130 could sent USDJ Sullivan to prison for 20 years. But first, I'd like him to be impeached.
 - c) I wrote and called Congresswoman Maloney, who under the US Constitution is my representative and to whom under the House Judiciary Rules must forward my request for impeachment: I alone cannot do so.
- 15) I was surprised that Carolyn Maloney's staff were constantly delaying my meetings with them, or even (I believe) giving wrong reasons why USDJ Sullivan could not be impeached upon this black-and-white evidence.
- 16) Finally, I received a letter and/or phone call from Congresswoman Maloney's office that if I contacted her office again, she would call the Capitol Police for me harassing her. I'm relying upon my memory rather than finding the actual letter. But I did find an email that I sent to my lawyer (which I include here redacted and do so without waiving lawyer-client privilege), and include it as Item #.

¹ USDJ Sullivan had squelched me by limiting me to 3 briefs with a maximum of 200 words in Order #122 in 06cv4751 *Lindner v IBM, et al.* :

proposed request. IT IS FURTHER ORDERED that all communications sent by Plaintiff to the Court, including the requests described above, shall not exceed 200 words.

In context it read that:

proposed request. IT IS FURTHER ORDERED that all communications sent by Plaintiff to the Court, including the requests described above, shall not exceed 200 words.

Plaintiff is reminded that it is squarely within the power of a district court to dismiss an action for failure to comply with the Court's orders. Indeed, Plaintiff's prior noncompliance with previous orders have already provided sufficient grounds to dismiss this action. Thus, should Plaintiff violate this order by sending any unauthorized communications, this action will be dismissed with prejudice.

SO ORDERED.

Dated: September 18, 2009
New York, New York


RICHARD J. SULLIVAN
UNITED STATES DISTRICT JUDGE

- a) This may explain why Ms. Maloney did not support impeachment despite my well-reasoned analysis that USDJ Sullivan may only hold office "during good behavior," (see #12) as opposed to "high crimes and misdemeanors" which is the standard for the US President.
 - b) But that does not explain why Ms. Maloney would then align herself with the forces of evil and try to
 - i) Stop my witness Ms. Sally Smith from communicating with me, by applying pressure on the DEA/ATF
 - ii) Be on the side of the people who were trying to get Ms. Smith to plant child porn in my apartment and to get Ms. Smith to falsely swear that I was trying to harm USDJ Sullivan, whilst Ms. Smith was allegedly in the SDNY Courthouse appearing for the US Attorney. This is where I blame AUSA Harwood for refusing to meet with me and Ms. Smith and the AUSA whom Ms. Smith testified for, where this could have been sorted out as fact or fiction. **Sometimes "passive aggressiveness" can be a force for the bad, and that is my view of Harwood's passive aggressiveness in not meeting with me and Ms. Smith** at either Harwood's Office or a neutral place (or even I believe on a conference call).
- 17) Serious interference by "the Boys" on or about Fri, Nov 9, 2012
- 18) This evening Friday, November 09, 2012 6-8 PM, Ms. Smith was allegedly asked by "The Boys" if she would talk to the Secret Service. Ms. Smith demurred / refused by saying she was too busy.
- 19) I contacted a set of NYPD police, since about an hour earlier than #17) , Ms. Smith warned me that I might become "missing", and that I should not go to my regular bars, since I may never be seen again.
- a) For that reason, I mailed a preliminary version of this document to Littler and to AUSA Harwood.
 - b) I talked to the NYPD in person as per #21) .
- 20) Because of this perceived threat by someone who has been physically threatened and supposedly had a hit man on her tail that was intercepted by the SDNY US Attorney's Office, I went to a different area (as per Ms. Smith's instructions) after dropping off Ms. Smith so that she could respond to her summoning by the DEA/ ATF office on 16th Street and 10th Avenue, NYC.
- 21) After Ms. Smith was dropped off, I saw a policeman by the McDonald's at 34th St and 10th Avenue, who told me his name was PO Luna, working for the NYPD Traffic Department, out of car license plate #6953, where I spoke to his female colleague PO Bradfield and later their female Commander Manick.
- a) I told them that I feared for my life.

- b) That I was born in NYC, and needed someone in the NYPD to call the DEA/ATF and verify that I was being wrongly threatened.
 - c) I mentioned the incident below, which is #24), and that I couldn't trust certain Precinct 10 and 13 Police Officers after several experiences.
 - d) I wanted PO Luna to get permission to accompany me for 2 hours to a high enough NYPD person who has contacts with the DEA / ATF, and tell them to back off. PO Luna dismissed the possibility of the head of the NYPD or of Mayor Bloomberg.
 - e) They (Luna, Bradfield, Manick) summoned NYPD License Plate 6953 ₁₂, where the license plate subscript 12 stood for 2012. There I spoke to PO Scala and his female Sgt Anitra, whose name I said was like the Norway song called "Anitras' Dance (Peer Gynt)" – although I forgot the Peer Gynt and Edvard Grieg, but she did not know of that either.
- 22) I told PO Scala of the IBM case, USDJ Sullivan and being illegally threatened by contempt of court by USDJ Sullivan, and cited 18 USC § 1512(b)(3), which PO Scala said was like "kiting" / kite, but I did not understand that police analogy.
- a) PO Scala said that a kite was having someone on the corner be anonymously accused of selling drugs.
 - b) The term "kites" may refer to ignoring a problem or a complaint in the hopes that it will fly away by itself (perhaps).²
- 23) PO Scala and Sergeant Anitra said that I should contact FIO (Field Intelligence Officer) Anders, and his assistant Eric Rivera who was at 212-741-8211, which turned out to be the 10th Precinct. I left a message for FIO Anders, giving my cell and home number at about 9-10pm on Friday, November 09, 2012, and said that PO Scala and Sgt. Anitra should call me, too. I called PO Williams at Friday, November 09, 2012 9:58 PM, and PO Williams said that FIO Anders will get in touch with me tonight Friday, November 09, 2012, and definitely Saturday, November 10, 2012. I thanked PO Williams for agreeing to get (Sgt?) FIO Anders to contact me by Saturday, and that I was typing this information, and preparing to have it notarized on Saturday Nov 10, 2012 and filed electronically with the Court.

² I looked up the term and found this reference: " More often, they ignored complaints altogether, dismissing them as "kites," a term of obscure derivation, which seemed to imply that if you let a complaint go, it would fly away by itself." But since that article is laughingly entitled " How New York Is Winning the Drug War", maybe it's discredited.

" In reality, however, these teams were too few to cover their territory, and they tended to "chase the case," going wherever their informants and other evidence led them. Investigators officially assigned to the Bronx might end up doing most of their work in Manhattan. As for investigating citizen complaints, the teams did so only haphazardly, for they were swamped by the huge volume of complaints that the crack epidemic generated—61,000 in 1987. At best, they might close a complaint by arresting a dealer in the general vicinity, who didn't fit the complainant's description at all. More often, they ignored complaints altogether, dismissing them as "kites," a term of obscure derivation, which seemed to imply that if you let a complaint go, it would fly away by itself. So though in theory Harnett should have been able to get help from one of these teams, in practice he had almost no contact with the sergeant of the team officially assigned to his and two other precincts."

["How New York Is Winning the Drug War", by Patrick J. Harnett, William Andrews, summer 1999]
http://www.city-journal.org/html/9_3_a2.html

- 24) Local NYPD Precinct 13 may be actively hostile claiming (words to the effect of) "you don't know what we know about Peter Lindner"
- 25) I had an incident in my building (Zeckendorf Towers, 1 Irving Place) today with someone harassing me on the bulletin board for several weeks, and the police were hostile to me and perhaps reprimanded a woman realtor who came to my defense. The realtor asked the police to not shout at me in the lobby, and I believe either (female) Officer Tucker and (male) Officer Quinn told the woman realtor that she did not know what was going on. Here's the background:
- a) I had called 911, so that a friend could view the videotape of the ostensible harasser about to post something on the laundry room wall.
 - b) The building's lawyer Charles Rich, Esq. promised me two weeks ago that I could see the video tapes if an incident happened again, and it did in the last 1 ½ weeks after the power was back on (Friday night, Nov. 2, 2012) in my building after Hurricane Sandy stopped me by having no electricity in my apartment, which turned into a 15 story walk up with the elevators not working due to lack of electricity.
 - c) The police came into my building, but refused to see the video tape, saying no harassment crime was committed since the laundry room posting did not have my name on it.
 - d) This was even though we had a witness to view the video tape who could connect that the person we had talked about was the one who was on the video. Thus: a lack of police cooperation, presumably since I had complained about it before.
- 26) My friend said the police (specifically I believe female PO Tucker) threatened my witness with arrest by saying to sit down in the chair and arrest would follow if that instruction was not obeyed.
- 27) I ask the Court to summon the various personnel, including the DEA/ATF, Ms. Smith, and perhaps Carolyn Maloney's Office to see if any of them tried to stop Ms. Smith from talking to me, or whether Ms. Smith is delusional and has no connection with the DEA/ATF. I don't want to be jerked around, and I don't want the Court to be jerked around. I'm especially angered at the US Attorney's Office for refusing to discuss with me privately with Ms. Smith so that they could verify in person that she was telling the truth that she testified for the SDNY US Attorney in a federal case.

Sworn and notarized

By: Peter Lindner

Peter Lindner
Plaintiff, *Pro Se*

1 Irving Place, Apt. G-23-C
New York, New York 10003
Home/ Fax: 212-979-9647
Cell: 917-207-4962
Email: nyc10003@nyc.rr.com

Dated: New York, NY the 11th Day of November, 2012

Sworn to before me

This 11th Day of November, 2012

Barbara N Perez
Notary Public
NYC, NY

BARBARA N PEREZ
Notary Public - State of New York
NO: 01PE6232290
Qualified in New York County
My Commission Expires 12/06/2014

Attachment 1: REDACTED Plaintiff's Witness Ms. Sally Smith handwritten 1 page affidavit Outline

1. Threats upon Peter Lindner's life and that of Ms. Sally Smith
2. Planting child porn in Peter's apartment
3. Asking Ms. Smith to perjure herself by falsely saying Peter Lindner threatened USDJ Sullivan.

① Peter Lindner's life

② child

③ Sullivan

④ Stay away

⑤ Trouble

⑥ Arnold

4. Ms. Smith is instructed / warned to stay away from Peter Lindner

5. Trouble is threatened to Ms. Smith

6. Peter's code name is "Benedict Arnold" – the traitor of the USA

Saturday, November 10, 2012 1:29 AM

Peter Lindner hereby swears that this is a true REDACTED scan of the handwritten draft for Ms. Sally Smith's affidavit to USDJ Nathan about possible federal crimes witnessed by her, including framing Lindner with child porn, threatening the life of Ms. Smith and Mr. Lindner, inducing perjury to frame Lindner for doing / harming USDJ Sullivan from 06cv4751 Lindner v IBM, et al., Congresswoman Carolyn Maloney instructing the DEA/ ATF to make Ms. Smith stay away from Lindner (in violation of 18 USC § 1512(b)(3)), and using the code name "Benedict Arnold" for Lindner in cell phone communications.

Sworn and notarized

Dated: the 11th Day of November, 2012

By: Peter Lindner
 Peter Lindner
 Plaintiff, Pro Se
 1 Irving Place, Apt. G-23-C
 New York, New York 10003
 Home/ Fax: 212-979-9647
 Cell: 917-207-4962
 Email: nyc10003@nyc.rr.com

Sworn to before me

This 11th Day of November, 2012

Barbara N Perez
 Notary Public
 NYC, NY

BARBARA N PEREZ
 Notary Public - State of New York
 NO. 01PE6232290
 Qualified in New York County
 My Commission Expires 12/06/2014

I, Peter Lindner swear that "MS. SALLY SMITH" wrote this in her own hands, voluntarily.

Peter W. Lindner
 PETER W. LINDNER
 11/1/2012
 NYC, NY

BARBARA N PEREZ
 Notary Public - State of New York
 NO. 01PE6232290
 Qualified in New York County
 My Commission Expires 12/06/2014

Attachment 2: REDACTED Plaintiff's Witness Ms. Sally Smith typed 1 page affidavit that Ms. Smith was dissuaded from having notarized

STATE OF NEW YORK)

: SS.:

COUNTY OF NEW YORK)

[REDACTED]

being duly sworn, says:

- 1) Peter Lindner's life being threatened, roughly 1 ½ to 2 years ago. Well, it's sort of both of ours, really. Something would happen to us if things didn't calm down. I know who it is, but I can't say who it is. I don't want to say anything more about it in this document.
- 2) Child porn being planted. I was asked to put child porn somewhere in Peter's house, anyplace. It was a physical document. They just told me. "They" means people that I don't want to indicate who it is, because I don't need problems.
- 3) To perjure myself about Peter threatening USDJ Sullivan and I should stay away. I can't respond to that either, due to it being problematic to my life. It was not a private citizen. It happened by the side entrance, which was not the one by the Chinatown playground. It was 3 people, non-civilian. It was outside by the smoking area - that's exactly where it happened. I think it's the only smoking area.
 - a) "things will be problematic for" me -- but I don't want to say more.
 - b) They got more aggressive to me for the next few weeks.
- 4) Calling Peter Lindner "Benedict Arnold" - a traitor. I can not comment beyond that.
- 5) I don't want to comment any more on this.

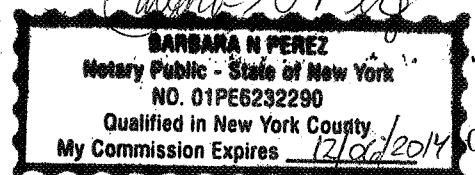
Sworn as true.

By: _____ Dated: on the _____ day of October, 2012
[REDACTED] New York, NY

I, Peter Lindner, swear that "Ms. Sally Smith" dictated this to me and I typed it and I redacted it.

Peter W. Lindner

PETER W. LINDNER 11/1/2012
NYC, NY



Attachment 3: Plaintiff unaltered handwritten 11 page affidavit

SDNY
US FEDERAL COURT
PETER LINDNER
CSO NEWELL, ET AL.

2011 CV 8365 (USDCJ MATHAW)
PAGE 1 OF 11

11/1/2012

STATE OF NEW YORK }
COUNTY OF NEW YORK }

SWORN
AFFIDAVIT
OF
PETER W. LINDNER

1) I, Peter W. Lindner, do hereby
swear that this declaration is true and
correct, to the best of my knowledge.

2) AT OR ABOUT 2:30-3:30 PM I RECEIVED A CALL
FROM MS. SALLY SMITH (A PSEUDONYM) WHO SAID
SHE "CAN'T GET INVOLVED" IN THE NOTARIZING,
WHICH I HAD ASKED HER TO GET HER PASSPORT
FROM THE [AGENCY NAME WITHHELD/REDACTED] PEOPLE
HOLDING HER US PASSPORT.

3) MS. SMITH MAY HAVE BEEN TALKED TO/DISSUADED
BY "THE BOYS" AT SAID AGENCY, WHO LAST WEEK
OSTENSIBLY WITHHELD THE PASSPORT SAYING THE

-2-

11/1/2012

PERSON/AGENT WITH CUSTODY OF THE PASSPORT
WAS AWAY (ON VACATION?) UNTIL MON, OCT 29.

4) MS. SMITH'S NY ID WAS BROKEN IN HALF,
WITHOUT A VALID SIGNATURE SHOWING,
WHICH THE NOTARY AND MS. SMITH AGREED
WAS NECESSARY FOR NOTARIZATION & SWEARING.

LAST WEEK (OCT. 25-29) ^(PWC)
5) MS. SMITH SAID SHE'D GET THE NY DRIVER'S

ID AT \$40-\$65 IF THE PASSPORT FELL
THROUGH.

6) IF IT TURNS OUT THAT MS. SMITH IS
NOT A CI "CONFIDENTIAL INFORMANT" FOR ONE OR
MORE OF THE FEDERAL AGENCIES, AND THAT SHE
WAS CONFLATING HER ROLE AND/OR HER "STORY"
OF THE ^{TO BE} ^(PWC) ATTACHED ROUGH DRAFT HANDWRITTEN

-3-

11/1/2012

BY "MS. SMITH" AND THE TYPED VERSION
IN FULL, THEN I APOLOGIZE TO THE
COURT AND TO THE DEFENDANTS.

7) I SHALL ATTACH REDACTED VERSIONS
OF THE "TO BE NOTARIZED" DOCUMENTS.

8) I ASK THE COURT

8A) PERMISSION TO SUBPOENA AND
THE WITNESSES (PWZ)
QUESTION UNDER OATH ON THIS

MATTER AND THE POSSIBLE

"OBSTRUCTION OF JUSTICE" AND

VIOLATION OF 18 USC § 1512 (b)(3) (PWZ)

"TAMPERING ... WITH A WITNESS", HINDERING

OR DELAYING THE COMMUNICATION

TO A FEDERAL JUDGE OF A POSSIBLE

- 4 -

11/1/2012

FEDERAL CRIME.

8B) PERMISSION TO FILE ORIGINAL
DOCUMENTS UNDER SEAL

8C) PERMISSION TO SANCTION WITH
PERSONAL FINES, POSSIBLE IMPRI-
SONMENT, AND POSSIBLE LOSS OF
LAW LICENSE, AND INCLUDING
REFERRING THESE MATTERS TO
A HIGHER COMPETENT EXECUTIVE
(DOJ ATTY. GEN'L) AND BAR ASSOC. AND
COURTS.

8D) THOSE WITNESSES INCLUDE:

8D1) "MS. SALLY SMITH"

8D2) "THE BOYS" WHO HANDLE MS. SMITH.

- 5 - 11/1/2012

8D3) THE MANAGER OF "THE BOYS"

FROM BOTH AGENCIES

8D4) PHONE ~~LOGS~~ ^{PDD} LOGS

SUITABLY REDACTED TO SHOW

RELEVANT CALLS, ESPECIALLY

~~ANY~~ ^{PDD} POSSIBLE CALLS

AND LOGS AND NOTES RELATING

TO PETER LINDNER, AND MS SMITH,

AND "THE BOYS," SWORN TO

IN NY STATE AND MINDFUL

THAT NY JUDICIARY 487 OF "INTENT

TO DECEIVE" IS A CRIMINAL MISDE-

MEANOR SUBJECT TO TREBLE DAMAGES

AND LOSS OF LAW LICENSE, TO BL

-6- 11/1/2012

SIGNED BY, AND ALSO BY, A
PRACTICING NY ATTORNEY WHO
IS EMPLOYED BY SAID AGENCIES.
8E) TO CERTIFY THAT MY CASE
INVOLVES PHONE AND OTHER
WIRETAPPING AND BUGGING, AND
THAT THIS CASE BE JOINED
TO THE U.S. SUPREME COURT CASE
HEARD ON MON, OCT. 29, 2012 ON
STANDING TO SUE FOR FISA
WIRETAPPING AND COMPUTER SURVEILLANCE
SINCE

8E1) MS. SMITH INFORMS ME OF "BUGS"
ON PHONE, COMPUTER, PERHAPS ROOM

-7- 11/1/2012

8ER) THAT 9/11 WIRETAPPING
WAS NOT INTENDED TO COMBAT
ACCUSATIONS OF DOMESTIC VIOLATIONS
OF LAW, BOTH CIVIL AND CRIMINAL,
HAVING TO DO WITH ACCESS TO
THE COURTS BY ME, A US CITIZEN
BORN IN NYC, AND NOT SUSPECTED
OF ANY TERRORIST GOALS, DOMESTIC
NOR FOREIGN, AND CERTAINLY
NOT TO PREVENT A CI FROM
DOING HER DUTY AS A NATURAL
BORN VS CITIZEN FROM FILING A
TRUTHFUL ACCOUNT OF ALLEGED
PERJURY AND "PLANTING" OF EVIDENCE

- 8 - 11/1/2012

BY THE US GOV'T, OR ITS AGENTS,
ACTING UNDER ORDERS OR AS
ROGUE AGENTS OF THE US
ON MY GOVERNMENTS.

8E3) THAT "THE BOYS" AND THEIR
COUNTERPARTS IMMEDIATELY WITHIN
24 HOURS BY MON, NOV 5, 2012,
TURN OVER, AS PER FRCP 26 IN
NATIVE FORMAT, ALL ESI, COMPUTER
SEARCHABLE AND READABLE IN
EXCEL (I.E. NO PDF'S).

8E4) THAT THE AGENCY SWEAR
UNDER PENALTY OF PERJURY WHETHER

8E4a) THEY "SUSPECT" I'M A TERRORIST

-9- 11/1/2012

8E46) THEY INITIATED THIS/THESE

ACTIONS AT THE BEHEST OF

8E461) ANOTHER AGENCY

8E462) A PERSON

8E463) CREDIBLE SOURCES

8E464) A DISGRUNTLED

VSDT SULLIVAN.

8E465) WHOMEVER ELSE (E.G.

SEVERAL PARTIES)

8E46) WHETHER THERE HAS BEEN

"ANY CREDIBLE EVIDENCE" TO

SUPPORT THE ORIGINAL OR LATER

ALLEGATIONS FOR THEIR WIRETAPPING,

SURVEILLANCE, OR TAMPERING, IN ANY WAY.

-10- 11/1/2012

BE) TO IMMEDIATELY ORDER (ORDER)
A CEASE-AND-DESIST OF INTERFERING
BY "THE BOYS" AND/OR ANY
OTHER US OR PRIVATE AGENCY
HAVING ANY AND ALL TYPES OF
SURVEILLANCE UPON ME OR MY
CONTACTS, FRIENDS, AND TO
SAFEGUARD THAT MATERIAL
SO THAT IT CAN BE EXAMINED
BY ME, BY A LAWYER, OR FISA;
AND THAT THEIR INITIAL JUSTIFICATION
AND AUTHORIZATION BE TURNED OVER
TO ME INTACT AND WITHOUT REDAC-
TION,

PAGE - 11 -
OF
- 11 -

11/1/2012

9) I MAKE THIS DOCUMENT
UNDER DURESS THAT I (AND
MILLIONS OF OTHER NY'ERS) HAVE
NO ELECTRIC POWER, HAVE TO WALK
UP 15 (FIFTEEN) FIGHTS TO MY
APARTMENT, AND HAVE NO PRINTER,
I AM DOING THE BEST THAT
I CAN.

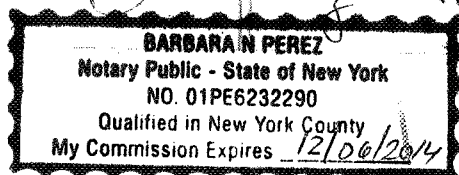
10) I ATTACH THE SECRET AND
REDACTED DOC'S TO HAVE BEEN SWORN
BY MS. SMITH, BUT NOT TO BE SEEN BY NOTARY.
SWORN TO TRVE, ALONG WITH ATTACHED FILE
DOCUMENT)

Barbara N Perez

Peter W. Lindner

11/1/2012 NYC.

PETER W. LINDNER, PRO-SE LITIGANT



Attachment 4: 18 USC § 1512(b)(3) on Witness Tampering

Basically, what Congresswoman Carolyn Maloney and the DEA/ATF are doing to my witness Ms. Sally Smith is "**Tampering with a witness, or an informant**" which is punishable by being "imprisoned not more than 20 years " and says that "**(b) Whoever** knowingly uses intimidation, threatens, or corruptly persuades another person, or attempts to do so, or engages in misleading conduct toward another person, with intent to—

(1) influence, delay, or prevent the testimony of any person in an official proceeding;

(2) cause or induce any person to—

(A) withhold testimony, or withhold a record... from an official proceeding;

...

(C) evade legal process summoning that person to appear as a witness, or to produce a record, document, ...in an official proceeding; or

...

(3) hinder, delay, or prevent the communication to a law enforcement officer or judge of the United States of information relating to the commission or possible commission of a Federal offense

shall be fined under this title or imprisoned not more than 20 years, or both. "

Here's the full text:

"18 USC § 1512 - Tampering with a witness, victim, or an informant

...

(b) Whoever knowingly uses intimidation, threatens, or corruptly persuades another person, or attempts to do so, or engages in misleading conduct toward another person, with intent to—

(1) influence, delay, or prevent the testimony of any person in an official proceeding;

(2) cause or induce any person to—

(A) withhold testimony, or withhold a record, document, or other object, from an official proceeding;

(B) alter, destroy, mutilate, or conceal an object with intent to impair the object's integrity or availability for use in an official proceeding;

(C) evade legal process summoning that person to appear as a witness, or to produce a record, document, or other object, in an official proceeding; or

(D) be absent from an official proceeding to which such person has been summoned by legal process; or

(3) hinder, delay, or prevent the communication to a law enforcement officer or judge of the United States of information relating to the commission or possible commission of a Federal offense or a violation of conditions of probation ^[1]supervised release,,^[1]parole, or release pending judicial proceedings;

shall be fined under this title or imprisoned not more than 20 years, or both.

..."

<http://www.law.cornell.edu/uscode/text/18/1512>

Attachment 5: REDACTED Letter to lawyer that Congresswoman Maloney threatened me with Capitol Police

From: nyc10003@nyc.rr.com

Sent: Monday, July 19, 2010 10:46 PM

To: xxxxx

Subject: Fwd: Proof I was called by Rep. Maloney 7/17/2010

Dear xxxxxxx:

I take on the big boys (like USDJ Sullivan), but I sort of draw the lines at cops -- and now Congressman Maloney.

Her aide told me that I should stop harassing Rep. Maloney and that she called the Capitol Police. Today I got a call from her office as you can see from the photo -- perhaps to tell me good news, or perhaps a wrong number from them, or perhaps to re-inforce that I was not to visit there tomorrow as I originally planned to do on Tue, Jul 20, 2010 at 5:30 pm to talk to about the ORDER #130 and the law 18 USC section 1512(b)(3) for a total of 10 pages.

But, I don't want to call to find out I violated a direct order not to call Rep. Maloney, even if her caller ID showed up on my phone.

What do you suggest?

Regards,
Peter

Attachment 6: Scan of Notary Seal & Signature

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PETER LINDNER,

Plaintiff

-against-

COURT SECURITY OFFICER (CSO) NEWELL,
CSO MUSCHITIELLO, CSO JOHN DOE #1, CSO
JOHN DOE #2, 2ND CIRCUIT COURT OF
APPEALS CLERK MARGARET LAIN,
ASSISTANT US MARSHAL (USM) JAMES
HOWARD, USM BRIAN MURPHY, USM BETTY
ANN PASCARELLA, WITNESS SECURITY S.
JONES, CONGRESSIONAL AFFAIRS CHIEF D.
DISRUD, US ATTORNEY PREET BHARARA,
USM JOSEPH R. GUCCIONE,

Defendants

Civil Action No. 11 cv 08365 (AJN-MHD)

AFFIRMATION OF SERVICE

Sunday, November 11, 2012 1:48 PM

Affirmation Of Service:

I, Peter W. Lindner, declare that I have served a copy of the attached " Plaintiff Alleging Federal Witness Tampering With Prepared To Communicate With USDJ" Nathan dated Nov 11, 2012 upon these people whose addresses are:

Jennie Woltz, Esq., an Associate
Kurt Peterson, Esq. Partner
Littler Mendelson
900 Third Ave, 7th Floor
NYC 10022
Phone: 212-583-2689
Fax: 212-832-2719
Email: jWoltz@littler.com

Preet Bharara, SDNY US Attorney
Christopher B. Harwood, Assistant US
Attorney (AUSA)
86 Chambers St, 3rd Floor
NY, NY 10007
Phone: 212-637-2728
Fax: 212-637-2786
Email: Christopher.Harwood@usdoj.gov

By:  Dated: New York, NY on 19th Day of November, 2012

Peter Lindner
Plaintiff, *Pro Se*
1 Irving Place, Apt. G-23-C
New York, New York 10003
Home/ Fax: 212-979-9647
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